

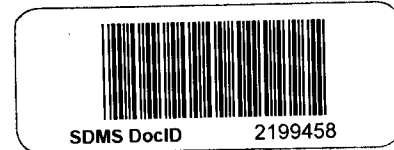


William D. Wall
Vice President, Senior Counsel
Telephone: 412-642-3580
Fax: 412-642-3923
E-mail: william.wall@cbs.com

CBS Corporation
20 Stanwix Street
Pittsburgh, PA 15222

ORIGINAL

June 14, 2012



Kenneth I. Rose, Financial Analyst (3HS62)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Metro Container Site, Trainer, Pennsylvania – Information Request

Dear Mr. Rose:

CBS received the most recent information request for the Metro Container Site from Joanne Marinell, EPA Region III on May 16, 2012. Westinghouse Electric Corporation has twice responded to information requests for this same site; first in 1988 and then again in August, 1990. Those requests and Westinghouse's responses are enclosed. The information available to Westinghouse at the time and now CBS, indicate that no drums were sent by Westinghouse to the Metro Container Site. Without further information as to what former Westinghouse facilities are potentially implicated at the Site and the attendant nexus documents that are in EPA's possession, CBS is unable to provide a further meaningful response to the additional questions presented in the subject request. Accordingly, this letter serves as a request for whatever information or documents which EPA may have that links Westinghouse to the Metro Container Site.

Thank you.

Yours truly,

William D. Wall
Vice President, Senior Counsel

cc w/ atts.: Richard Smith, CBS
Cheryl Kucera, CBS



Westinghouse
Electric Corporation

Westinghouse Building
Gateway Center
Pittsburgh Pennsylvania 15222

August 14, 1990

Maureen Borden, Esq.
Assistant United States Attorney
3310 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: Subpoena for Records Relating to Metro Container, et al.

Dear Ms. Borden:

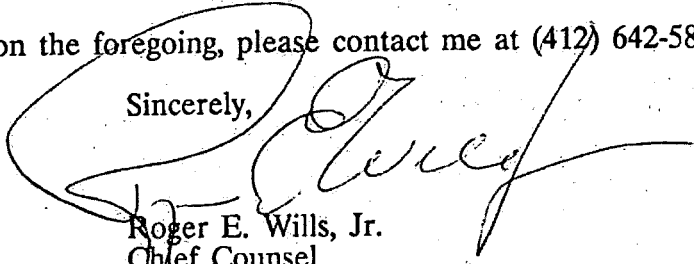
This is in response to the subpoena, dated June 27, 1990, addressed to the "Custodian of Records, Westinghouse Electric" and sent to Westinghouse Electric Corporation, Dutton Mill Center. I appreciate the extension of time that you gave Westinghouse to respond and apologize for the total amount of time that it has taken to complete the response.

I enclose a copy of documents that Westinghouse has previously provided to the U.S. Environmental Protection Agency that relate to the Dutton Mill facility's purchase of drums from the Metro Container Corporation. According to the personnel at the facility, no drums were sent to the Metro Container Corporation facility from Dutton Mills.

The delay in responding to this request was due to the time that was required to locate and review files from a Westinghouse facility that has been closed for several years. The Metro Container Corp. PRP Committee provided a computer printout that alleged that one of two drums attributed to Westinghouse may have originated at the Westinghouse Lester facility. Although this facility has been closed for several years, I was able to locate some records that had been maintained concerning the disposition of wastes. These records covered the period 1983 through early 1987 when the facility was closed. During my review of these records, I did not identify any document that referenced the Metro Container Corporation or any of the other names that were set forth in Attachment A to the subpoena.

If you have any questions on the foregoing, please contact me at (412) 642-5815.

Sincerely,


Roger E. Wills, Jr.
Chief Counsel
Environmental Affairs

REW:3862o

Enclosure

PAS:db

IN RE:

D JURY MATTER 90-176

United States District Court

EASTERN

DISTRICT OF PENNSYLVANIA

TO: Custodian of Records
Westinghouse ElectricSUBPOENA TO TESTIFY
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.


PLACE United States Courthouse 601 Market Street Philadelphia, PA 19106	ROOM G.J. Room 4322
	DATE AND TIME Wednesday July 18, 1990 - 9:30 AM

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

SEE ATTACHMENT "A"

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK  MICHAEL E. KONZ	DATE June 27, 1990
(BY) DEPUTY CLERK	



This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY
Ronald A. Sarachan, AUSA
3310 U.S. Courthouse, 601 Market St.
Philadelphia, PA 19106
(215) 597-2268

*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227
JAN. 86

RETURN OF SERVICE⁽¹⁾

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE

SERVED ON (NAME)**SERVED BY****TITLE****STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER⁽²⁾

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date_____
Signature of Server_____
Address of Server**ADDITIONAL INFORMATION**

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.
(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

ATTACHMENT "A"

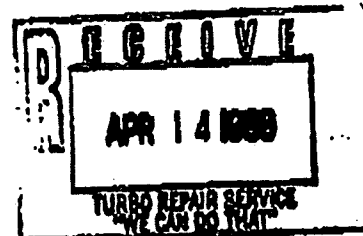
For the period January 1, 1984 to the present:

1. All records concerning dealings with Metro Container Corporation ("MCC"), Metro Enterprise Container Corporation ("MECC"), AMF Trucking Company and/or AMF Drum Co., including but not limited to:
 - a. all records concerning drums recycled by, sold to, transferred to and/or delivered to any of the above companies, including but not limited to records reflecting the contents of drums, the source of drums and their contents, and invoices and payments for transporting, disposing of and/or recycling drums;
 - b. for each transaction identified in (a), above, records reflecting the identity of transporter, the date of pick-up of drums, the name of the driver, the make, model and VIN of the vehicle used to pick up the drums, the number of drums picked up, the contents of the drums, the date of return to your company and number of drums returned, the destination of any drums not returned;
 - c. all invoices from or to MCC, MECC, AMF Trucking Company, and/or AMF Drum Co. and all records reflecting the payments to or from any of these companies; and
 - d. all records concerning contents of the drums identified in (a) above at any time prior to sale, transferring and/or delivery to any of the above companies, including but not limited to prior to rinsing and/or preparation for recycling, including but not limited to Material Safety Data Sheets.
2. All records concerning dealings with Lewis Maslow and/or Sidney Levy and/or Albert Westfall.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer to: 3HW14

APR 12 1988

Westinghouse Electric
J. St. Laurent
600 West Dutton Mill Road
Aston, PA 19014

Re: Metro Container Corporation Site

Dear J. St. Laurent:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. Section 9604(e), as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), you are requested to furnish all information and documents in Westinghouse Electric's possession, custody, or control, or in the possession, custody, or control of any of Westinghouse Electric's officers, employees, or agents, which concern, refer, or relate to hazardous substances, as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), including, but not limited to empty unwashed 55 gallon drums or other containers which Westinghouse Electric generated, transported, disposed of, or arranged for transportation or disposal of at the Metro Container Corporation or Metro Enterprises Container Corporation or Universal Container Corporation at Second and Price Streets, Trainer, PA 19013 (the "Site").

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

Jane Linn

The response should include, but not be limited to, information and documentation concerning:

1. The types and quantities of the hazardous substances generated or transported by Westinghouse Electric and sent to, transported to, or disposed of at the Site;
2. the quantities and residual contents of unwashed 55 gallon drums or containers which Westinghouse Electric generated or transported and which were sent to, transported to, or disposed of at the Site, whether or not they contained hazardous substances;
3. the date(s) such substances and/or containers were sent to, transported to, or disposed of at the Site;
4. any correspondence between Westinghouse Electric and any regulatory agencies regarding such substances and/or containers;
5. any correspondence between Westinghouse Electric and Metro Container Corporation, Metro Enterprise Container Corporation, or Universal Container Corporation or any other third party regarding such substances and/or containers;
6. the identity of, and documents relating to, any other persons who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such substances and/or containers to the Site;
7. copies of any deeds, rights-of-way, leases, or other real interests which Westinghouse Electric has or had in the Site; and
8. whether the substances or containers described above were sent to or transported to the Site for disposal, or reconditioning and return, or reconditioning and resale by Metro Container Corporation or Metro Enterprise Container Corporation or Universal Container Corporation.

Please describe any documents that were maintained by Westinghouse Electric of the transactions with Metro Container Corporation or Metro Enterprise Container Corporation or Universal Container Corporation, including the date of the documents, the author of the documents, the current location of the documents and the current custodian, and all efforts that were taken to identify these documents.

In addition to the above information, if your company is privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all relevant insurance policies.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering all or part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Please send the required information to:

Lawrence Falkin
U.S. Environmental Protection Agency, Region III
CERCLA Removal Enforcement Section (3HW14)
841 Chestnut Building, 6th Floor
Philadelphia, PA 19107

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this matter, please contact Lawrence Falkin at (215) 397-6679.

Sincerely,

Neil R. Swanson

for Bruce P. Smith, Chief
Hazardous Waste Enforcement Branch



**Westinghouse
Electric Corporation**

Power Systems

Power Generation Service Division
Dutton Mill Center
800 West Dutton & Mill Road
Aspen, Pennsylvania 18014

United States Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107
Mr. Bruce P. Smith
Reference: 3HW14

Dear Mr. Smith:

Subject: Reference 3HW14
Metro Container Corp.

Westinghouse purchased empty 55 gallon drums from Metro Container Corp. in August 1986 and sent them to the Consolidated Edison, Indian Point Power Plant in Buchanan, New York (reference attached purchase order DM83-590 and invoice 10617).

These drums, plus one additional, were filled with ethylene glycol (ie. antifreeze) that was used during our maintenance work at Indian Point and returned to our Dutton Mill facility.

The waste was disposed of in December 1986 by Chemclene Corp., not Metro Container Corp. Attached is Hazardous Waste Manifest PAB 3086532 and Chemclene invoice No. 14078.

A handwritten signature in cursive script that reads "John A. Ristuccia".

John A. Ristuccia
Mgr. Product Line Services

METRO CONTAINER CORP.

P.O. Box A
Second & Price Streets
TRAFER, PENNSYLVANIA 19016

(215) 483-8100

INVOICE

10617

SALES PERSON	DATE OF INVOICE
SHIP TO	

Westinghouse Electric
600 West Dutton Mill Road
Aston PA 19014

201010

8/2/86

Our Truck

ITEM 86-130

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
6	310 55 Gallon HF Drums Painted Black & White	\$15.00	\$90.00
<p><i>[Signature]</i> NYT 45357-014 8/8/86</p> <p>Thank You</p>			TOTAL \$90.00

TRIPPLICATE

AC

JMA file for records

PHONE: (215) 644-2986

CHEMCLENE CORPORATION
MALVERN, PENNSYLVANIA 19355

Date: 12/19/86

Dear Sirs:

Enclosed please find a completed Part B of Copy 3 of Pennsylvania Hazardous Waste Manifest No PAB 3086532 that records a shipment of waste recently made from your company to Chemcylene Corporation. Please see that the proper person in your organization receives this. You are required to retain this, along with copies given to you on the date of pickup, as proof of legal disposal of your wastes (25 PA. Code, Ch.75, 75.262(h)).

Please print on Form **FD-302** (Rev. 11-27-70) Form designed for use on elite (12-pitch) typewriter.
Approved: OMB No. 2000-0404. Expires 7-31-80

EA-8WM-51:REV. 10/84

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. PA0 016 633 917		Manifest Document No. 86532		2. Page 1 Information in the shaded areas is not required by Federal law but is required by State law.	
3. Generator's Name and Mailing Address WESTINGHOUSE CORP. 600 W. DUTTON MILL RD. ASTON, PA. 19014				A. State Manifest Document Number PAB 3086532			
4. Generator's Phone 215 497 5000				B. State Gen. ID PA-AH 016			
5. Transporter 1 Company Name CHEMCLENE CORP.				C. State Trans. ID PA-AH 016			
7. Transporter 2 Company Name				D. Transporter's Phone PA-AH			
9. Designated Facility Name and Site Address CHEMCLENE CORP. 256N. PHOENIXVILLE PIKE VALVERDE, PA 19355				E. State Trans. ID PA-AH			
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)				F. Transporter's Phone PA-AH			
12. Containers				G. State Facility's ID Not Required			
13. Total Quantity				H. Facility's Phone PA-AH			
14. Unit				I. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information THIS SHIPMENT CONSISTS OF SEVEN(7) DRUMS, ETHYLENE GLYCOL AND WATER, NON-HAZARDOUS MATERIAL.				16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. Unless I am a small quantity generator who has been exempted by statute or regulation from the duty to make a waste minimization certification under Section 3002 (b) of RCRA, I also certify that I have a program in place to reduce volume and toxicity of waste generated to the degree I have determined to be economically practicable and I have selected the method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment.			
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name: Robert L. Cilio Signature: Robert L. Cilio Month Day Year: 12 19 86				18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name: J. D. Lupo Signature: J. D. Lupo Month Day Year: 12 19 86			
19. Discrepancy Indication Space				20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Printed/Typed Name: W. L. Brainerd Signature: W. L. Brainerd Month Day Year: 12 19 86			

EPA Form 8700-22 (3-84)

COPY 3 - TSD FACILITY: MAIL TO GENERATOR

MAY 24 '88 17:01 WEST DM 2695028

P.5

In case of an emergency or until immediately call the National Response Center (800) 424-6802 and the PA DER (717) 787-4343

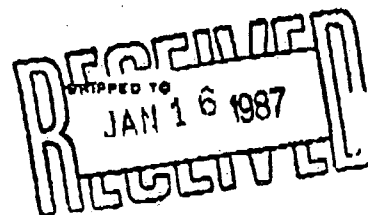
INVOICE

CHEMCLENE CORPORATION
 (Solvents, Equipment & Waste Disposal)
 258 N. PHOENIXVILLE PIKE • MALVERN, PA 19355-1128
 (215) 644-2986

No. 14078

Westinghouse Electric Corp.,
 600 W. Dutton Mill Road
 Aston, PA. 19014

Same



INVOICE DATE	DATE SHIPPED	OUR ORDER NO.	YOUR ORDER NO.	TERMS	SHIPPED VIA	MANIFEST NO.	
12/19/86	12/19/86	1963	BM86-845	net 30	OT	PAB3086532	
QUANTITY	DESCRIPTION					PRICE	AMOUNT
7 Drums	Ethylene Glycol					\$200.00	\$1,400.00
	Insurance surcharge...					Ea. Dr.	\$ 210.00
							\$1,610.00

[Signature]

~~8-15-86~~

1/9/87

NYT 953 59-012

THANK YOU

Fig - Hillside
V. Carulis

Change the job.